IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE NINETEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

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WRIT PETITION NO : 21208 of 2004

Between:

Dr. M. Vasantha Lakshmi, D/o. M. Narayana Sastry,
working as Lecturer, Sri Sarada Nikethanam Oriental

College, Guntur.

..... PETITIONER

AND

1. The Correspondent, Sri Sarada Nikethanam Oriental

College, 2/13, Brodipet, Guntur.
2. The Commissioner of Collegiate Education,

Government of A.P., Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ of Certiorari calling for all the connected records including the impugned order of the first respondent in XN.Dis. No. 37/97-98, dated 04-11-2004 and quash the same as illegal, improper, unjust, arbitrary and contrary to law and further direct the respondents herein to promote the petitioner as Principal in the first respondent institution w.e.f. 1-12-2004 with all consequential benefits including monetary, seniority etc.

Counsel for the Petitioner: MR.K.G.KRISHNA MURTHY

Counsel for the Respondent No.1: None appeared.
Counsel for the Respondent No.2: GP FOR COLLEGIATE EDUCATION

The Court at the stage of admission made the following :

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THE HONOURABLE DR. JUSTICE G.YETHIRAJULU

Writ Petition No. 21208 of 2004

ORDER:

The petitioner is working as a Lecturer in the first respondent-College. She claims that she is qualified to hold the post of Principal and she made an application to the Correspondent on 04.11.2004, requesting to appoint her as Principal. The Correspondent rejected the said application on the same day. The petitioner being aggrieved by the order of rejection, approached this Court, through this writ petition, to set aside the same, on the ground that it is not supported by reasons.

2. Whenever there is a right created to a party under a statute, and if any application is made in exercise of such right, and in the event of the concerned Authority denying the request of the applicant, in pursuance of such right, the concerned Authority is expected to assign sufficient reasons for such rejection. No Law provides that for every application made by an applicant, reasons are to be assigned. However, since the petitioner is claiming that she is a qualified candidate for the post of Principal, it is for the concerned Authorities to consider the candidature of the petitioner also, if she fulfils the norms provided under the rules and regulations.

3. The writ petition is accordingly disposed of. No costs.

Dr.G.YETHIRAJULU, J

Dated: 19th November, 2004.

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ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Correspondent, Sri Sarada Nikethanam Oriental College, 2/13, Brodipet, Guntur.
2. The Commissioner of Collegiate Education, Government of A.P., Hyderabad.
3. Two C.Cs. to the Government Pleader for Education, High Court Buildings, Hyderabad. (O.U.T.)
4. Two C.D. copies.